DOCUMENT RESUME

ED 348 541 CE 061 770

TITLE	DOD Service Academies. Status Report on Reviews of Student Treatment. Statement of Paul L. Jones, Director, Defense Force Management Issues, National Security and International Affairs Division. Testimony before the Subcommittee on Manpower and Personnel, Committee on Armed Services, U.S. Senate.
INSTITUTION	General Accounting Office, Washington, DC. National Security and International Affairs Div.
REPORT NO	GAO/T-NSIAD-92-41
PUB DATE	2 Jun 92
NOTE	14p.
AVAILABLE FROM	U.S. General Accounting Office, P.O. Box 6015, Gaithersburg, MD 20877 (first copy free; additional copies $2 each; 100 or more: 25% discount).
PUB TYPE	Reports - Evaluative/Feasibility (142)
EDRS PRICE	MF01/PC01 Plus Postage.
DESCRIPTORS	Civil Rights; Females; Higher Education; *Military Training; *Minority Groups; *Sex Bias; *Sexual Harassment; *Student Attitudes
IDENTIFIERS	*Air Force Academy CO; *Military Academy (West Point) NY; Naval Academy MD

ABSTRACT

Preliminary results of ongoing reviews of student treatment at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy show the following: (1) hazing has not completely disappeared from the academies, despite prohibitions against it; (2) women and minorities have not reached the same level of achievement as white males in a number of areas, although no deliberate or systematic efforts to treat them differently have been found; (3) sexual harassment occurs more frequently than is reported; (4) although both men and women believe that reports of harassment will be investigated and offenders punished, there are significant negative consequences to reporting it; (5) military performance systems could be improved through elimination of subjective elements; and (6) academy adjudicatory systems provide the minimum due process rights stipulated by the courts and some additional rights, with limitations. (KC)

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CE

United States General Accounting Office

GAO

Testimony

Before the Subcommittee on Manpower and Personnel, Committee on Armed Services, U.S. Senate

For Release on Delivery
Expected at
9:00 a.m., EDT
Tuesday,
June 2, 1992

ED348541

DOD SERVICE ACADEMIES

Status Report on Reviews of Student Treatment

Statement of Paul L. Jones, Director, Defense Force Management Issues, National Security and International Affairs Division

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Mr. Chairman and Members of the Subcommittee:

I am pleased to provide preliminary results on our ongoing reviews of student treatment issues at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy.

At the request of you and Senator Nunn and in a separate request from Congressman Bustamante, GAO undertook three multi-part reviews of the DOD service academies. Congressional interest in student treatment at the academies increased after several highly publicized incidents that occurred at the Naval Academy in 1989 and 1990. Each review focused on such issues as hazing, treatment and performance of women and minorities, harassment, the effectiveness of the military performance systems, and the fairness of academies' adjudicatory systems, such as the honor systems.

In conducting these reviews, we used a variety of data sources to examine these issues. For example, we reviewed case files from the academies, internal and external studies, artifact evidence, such as student publications and posters hung on bulletin boards, and designed and administered questionnaires to academy students, faculty members, and the Commandant's staff at each of the academies. Also, we conducted focus group meetings and walk-in student meetings to validate information from other sources. The data we collected from the academies covered the classes of 1988-91, with partial data on later classes.

At present, our review of student treatment issues at the academies is in various stages of completion. We began the Naval Academy review in June 1990, with work beginning at the Air Force and Military Academies several months afterwards. We administered our questionnaires in November 1990 at the Naval Academy, and in March 1991 at the Air Force and Military Academies. We are continuing the audit work at the Air Force and Military Academies.

We have reports in the draft stage on hazing of freshmen at the academies, gender and racial disparities at the Naval Academy and the Air Force Academy, the effectiveness of the military performance systems at the academies, and harassment at the academies. In addition, we are nearing the end of the analysis stage of our work on gender and racial disparities at the Military Academy, and on the due process review of the adjudicatory systems at the academies. The results I am reporting today, therefore, should be considered preliminary.

Our work to date indicates that

-- hazing has not completely disappeared from the academies, despite prohibitions against it;

-- women and minorities have not reached the same level of achievement as white males in a number of areas, although we found no

evidence of deliberate or systematic efforts to treat these groups differently;

-- sexual harassment occurs more frequently than is reported. Most students, both men and women, believe that reported harassment will be investigated and offenders appropriately punished. However, there are significant negative consequences to reporting it;

-- military performance systems could be improved through elimination of subjective elements; and

-- academy adjudicatory systems provide the minimum due process rights stipulated by the courts and some additional rights, with limitations.

Let me discuss each of these issues in turn.

HAZING OF FRESHMEN

Despite its being outlawed, hazing has never completely disappeared from the academies. At all three academies, hazing-type treatment occurs more frequently than officially filed charges would imply. The distinction between hazing and legitimate fourth class (freshmen) indoctrination is somewhat unclear. Many of the traditional elements of the fourth class systems are subject to potential abuse by upper-class students. The academies have rarely charged anyone with hazing and have usually chosen to pursue hazing-type offenses using lesser charges.

Hazing-type treatment is not harmless. A strong correlation exists between exposure to such treatment and a number of undesirable outcomes, including higher levels of physical and psychological stress among cadets and midshipmen, lower grade point averages, attrition from the academies, and reduced career motivation.

Recent systemic changes to the fourth class systems at the Military and Naval Academies appear to have had some success at reducing the extent of hazing-type treatment. For example, the class entering after the changes reported a lower frequency of hazing-type treatment than the previous three classes. However, some kinds of hazing-type activities continue. The Air Force Academy has not conducted an in-depth review of its fourth class system similar to those conducted at the other academies. Air Force Academy officials commented that the Academy reviews its fourth class system annually and has made several changes in the last 2 years, such as reducing fourth class training by 50 percent in academic year 1990-91 and converting the third class (sophomore) indoctrination training responsibility from an unsupervised role to a supervised one.

We found that the distinction between hazing and legitimate fourth class indoctrination was somewhat unclear to questionnaire respondents at the Naval Academy. DOD commented that the term "hazing-type" treatment can mean different things to different people and that being able to make this distinction is recognized as part of the process of effective leadership training at the academies.

TREATMENT AND PERFORMANCE OF WOMEN AND MINORITIES

In the area of how women and minorities are faring at the academies, we found no evidence of deliberate or systematic efforts to treat these groups differently. We found that while the majority of students responding to our questionnaires perceived that women and minorities received the same treatment as their counterparts, significant numbers of men and whites, respectively, perceived that women and minorities received preferential treatment.

In reviewing a wide variety of indicators, we found that generally women and minorities did not fare as well as other groups with respect to academic, physical education, and military performance grades. For example, while women generally have had Academy success predictor scores higher than men, their academic, physical education, and military performance grades were about the same or lower than men. In addition, women and minorities were generally charged with disciplinary and honor code offenses at higher rates than other groups. At the Naval Academy, in academic year 1989-90, 7 out of 115 (6.1 percent) freshman women were convicted of the most serious level of conduct offenses (such as being under the influence of alcohol or drinking while on duty), compared to 9 out of 1,155 (0.8 percent) freshman men. We found that academically deficient women were generally disenrolled by the academies at lower rates than academically deficient men at the Naval and Air Force Academies.

We found that not all the subgroups within the minorities category fared the same. The category of minorities is made up of blacks, hispanics, asians, and native americans. We found that generally blacks fared the worst of the various subgroups in terms of academic, physical education, and military performance grades.

The academies have taken some steps to address the negative perceptions regarding women and minorities, as well as the performance differences. Students at all three academies receive equal opportunity/human relations training where these issues are covered. In addition, the Naval Academy established an academic center for academically at-risk students. Further, each academy monitors perceptual and performance data by gender and race to varying degrees.

We identified a number of possible factors that may be contributing to the gender and racial disparities we found at the academies. These include the traditional white male cultures of the services

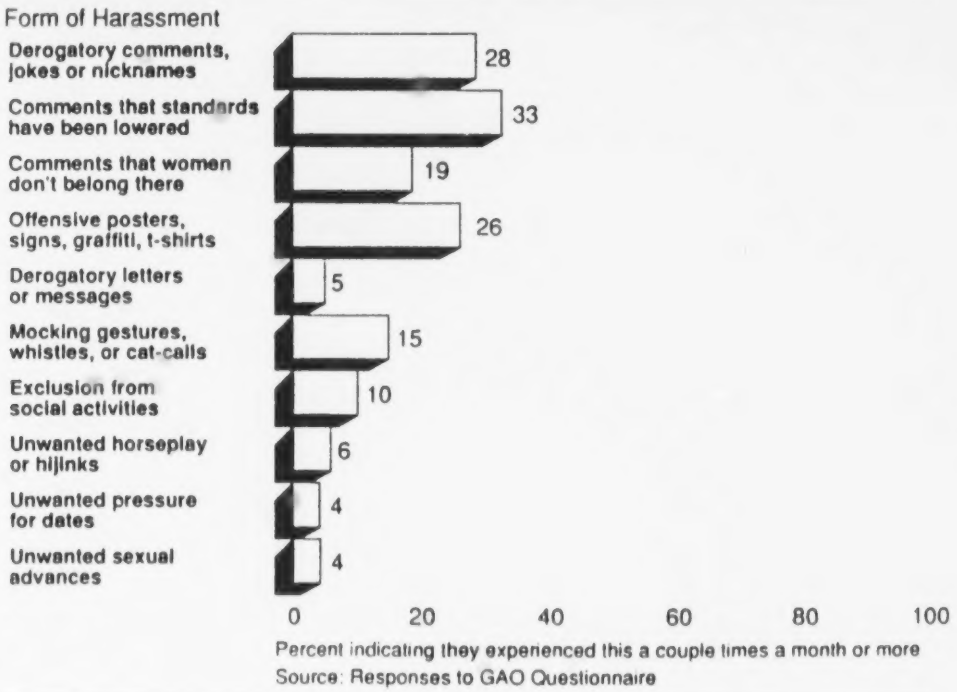
and the academies, the stressful environment at the academies being magnified for some subgroups, the small numbers of women and minorities in the student populations, and the influence of gender and racial stereotypes. When the size of a subgroup within a population is 15 percent or less, such as the case for women and the various minority subgroups at the academies, behavioral scientists have found it can have negative effects in terms of intergroup dynamics. One of the negative effects of being such a small minority is accentuated personal stress. While the academies are stressful for all students, they tend to be even more stressful for women and minorities. This extra stress can take a toll. For example, we found a correlation between female and minority questionnaire respondents who had experienced high levels of stress and low grades. Other negative effects of minority subgroup status are being stereotyped and seen as "not fitting in". We found evidence of negative sentiments toward women at the academies, in terms of questionnaire write-in comments expressing views that women did not belong at the Academy because they could not go into combat.

HARASSMENT

In the area of harassment, we found that sexual harassment occurs more frequently than is reported to officials. In response to our survey questions about the types and extent of harassment experienced, significant numbers of female respondents at all academies reported personally experiencing various types of verbal and visual (graphic) harassment fairly often (once or twice a month or more), as illustrated by figures 1 through 3.

Figure 1

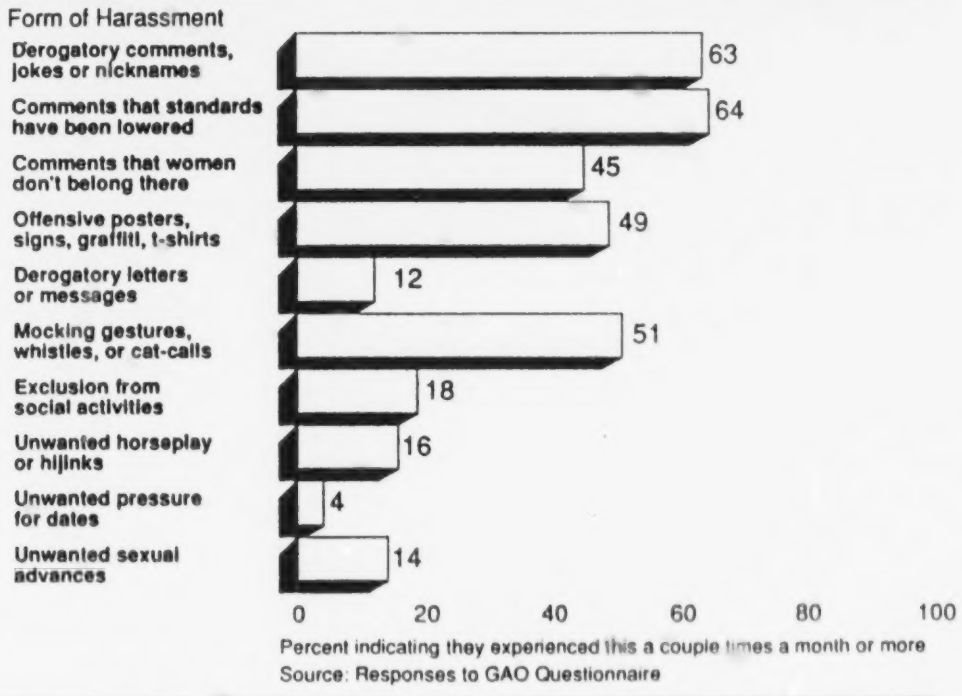
GAO Sexual Harassment of Female Students at the Naval Academy



Source: Responses to GAO Questionnaire

Figure 2

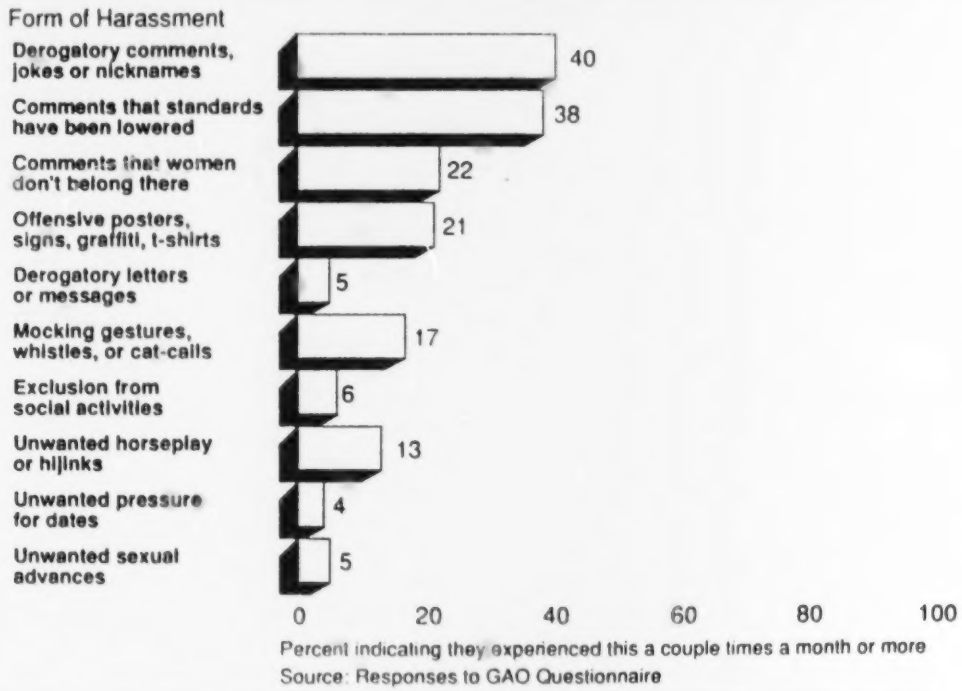
GAO Sexual Harassment of Female Students at the Military Academy



Source: Responses to GAO Questionnaire

Figure 3

GAO Sexual Harassment of Female Students at the Air Force Academy



Source: Responses to GAO Questionnaire

The most frequently experienced types of harassment were derogatory comments, comments that standards have been lowered, comments that women don't belong, offensive posters, and mocking gestures. For example, the percentage of women indicating they had experienced comments that standards had been lowered a couple of times a month or more was about 33 percent at the Naval Academy, about 38 percent at the Air Force Academy, and about 64 percent at the Military Academy. More extreme forms of sexual harassment, such as pressure for dates and unwanted sexual advances, appear to be less frequent among academy students.

Although there was general agreement among the respondents that if the harassment were reported, the incident would be thoroughly investigated and the offender would be appropriately disciplined, there was also general consensus that there were significant negative consequences to reporting the harassment. The perceived negative consequences could include loss of support by fellow students, being viewed as a crybaby and less favorably by the student and officer chains of command, being shunned, and receiving lower military performance grades. Consistent with these perceptions of the negative consequences of reporting harassment, we found relatively small numbers of conduct cases involving harassment charges at all three academies. We also found a correlation between the female and minority questionnaire respondents who had experienced high levels of harassment and stress.

The academies have taken some steps to address harassment. For example, the Naval Academy established an ombudsman program, staffed by commissioned officers and senior non-commissioned officers, as a channel to air grievances and seek advice on human relations matters. The Military Academy established a human resources council, staffed by faculty members and Commandant's staff, to address issues related to race, ethnicity, culture, religion, and gender. This group has researched the issue of date rape, as well as having held sensing sessions with small groups of cadets on the issue of racial insensitivity. The Air Force Academy has an organization called the Cadet Counseling and Leadership Development Center that both offers reactive services of counseling cadets one-on-one and develops military training sessions dealing with human relations. The Center also administers the Social Action Program that investigates allegations of sexual and racial harassment.

EFFECTIVENESS OF MILITARY PERFORMANCE SYSTEMS

In terms of the effectiveness of military performance systems at the academies, we found the systems contained some design flaws that would limit their effectiveness because of their subjective nature. The military performance systems are intended to measure each student's officer potential. The design flaws limiting the effectiveness of these systems are the trait-oriented rather than performance-oriented aspects of the evaluations, the comparisons of

students to each other through rankings or forced grade distributions rather than against standards, and the limited feedback value of such evaluations. In addition, we found that these systems had disparate effects in terms of minorities' grades and to a lesser extent in women's grades.

DUE PROCESS IN ADJUDICATORY SYSTEMS

Although we have not completed our analysis of the due process aspects of the adjudicatory systems at the academies, we have found that the academies generally provide the minimal due process rights that the courts have stipulated apply to them. These rights are the right to have a hearing, the right to be apprised of the charges, and the right to have an adequate opportunity to present a defense.

While the courts have stated that the academies must provide due process, they have largely deferred to the academies the question of what due process rights are appropriate. The academies maintain that the administrative nature of their systems do not require the full range of due process rights that are necessary for criminal systems. In addition to the basic rights, the academies have provided other due process rights, with some limitations, to their students. For example, a student charged with a serious disciplinary or honor offense would be entitled to legal counsel. The right to legal counsel is limited to legal advice from an academy- or service-provided attorney or a privately retained attorney outside of a hearing. However, the attorney would not be allowed to participate in the hearing and the student would be expected to conduct his/her own defense.

In reviewing case files, we have also found some apparent inconsistencies in decisions and punishments across subgroups of students, across cases of similar offenses, and across the systems. Academy officials stated the decisions and punishments in the cases involving their adjudicatory systems are made on a case by case basis, taking into account the specifics of each case and prior individual conduct. Nevertheless, bearing this explanation in mind, we found decisions that appeared inconsistent, perhaps in part because the case file documents generally contain little or no explanation of the rationales for the decisions.

HONOR SYSTEMS

With respect to the honor systems of the academies, we found a lack of consensus as to what constitutes an honor offense. To an even greater extent, we found a reluctance to report others for suspected honor offenses. Our examination of honor case files revealed instances of individuals charged and sometimes disenrolled based solely on oral evidence for offenses that seem trivial or "catch-22" in nature. For example, an upperclassman ordered a freshman to buy some food at a snack bar that is off-limits to freshmen as a

condition for losing a bet. The freshman, feeling that the order must be obeyed, did as the upperclassman requested. In the snack bar food line, another upperclass student asked the freshman if he was a freshman. If the freshman answered yes, he could get into trouble, and if he answered no, he could be charged with the honor offense of lying. The freshman answered "no". Then the upperclass student asked, "So, you're not a freshman?" Again the freshman answered "no". The freshman was charged with and found guilty of the honor offense of lying. The freshman resigned from the Academy.

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Mr. Chairman, this concludes my prepared statement. I will be happy to respond to any questions from you or members of the Subcommittee.

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